

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PAPST LICENSING GMBH & CO. KG,

Plaintiff,

v.

APPLE INC,

Defendant.

Civil Action No. 6:15-cv-1095

LEAD CASE

PAPST LICENSING GMBH & CO. KG,

Plaintiff,

v.

LG ELECTRONICS, INC., LG
ELECTRONICS USA, INC., LG
ELECTRONICS MOBILECOMM USA, INC.

Defendants.

Civil Action No. 6:15-CV-01099

CONSOLIDATED

NOTICE OF INSTITUTION OF RELATED *INTER PARTES* REVIEW PROCEEDINGS

The Court has previously been advised of the 41 *Inter Partes* Review petitions that have been filed against the five patents-in-suit. Further, the Court is aware that the Patent Trial and Appeal Board (PTAB) of the United States Patent and Trademark Office instituted numerous proceedings against U.S. Patent Nos. 8,966,144 (“the ’144 patent”) and 8,504,746 (“the ’746 patent”). Those proceedings are going forward with oral argument scheduled for the second week of September 2017 with Final Written Determinations due no later than December 15, 2017.

Just last week the PTAB instituted *Inter Partes* Review proceedings against U.S. Patent No. 9,189,437 (“the ’437 patent”). Under the Scheduling Order in that proceeding, oral argument

before the PTAB is set for November 9, 2017. Accordingly, three of the five patents-in-suit now have instituted IPR proceedings pending with the PTAB.

With respect to the remaining two patents-in-suit, namely U.S. Patent Nos. 6,470,399 (“the ’399 patent”) and 6,895,449 (“the ’449 patent”), petitions remain pending with the PTAB still considering whether to institute proceedings. The earliest dates for a decision on institution in those proceedings is April 19, 2017.

Dated: February 13, 2017

Respectfully submitted,

GREENBERG TRAURIG, LLP

/s/ Herbert H. Finn

Herbert H. Finn (Illinois Bar #6205685)
Jonathan E. Giroux (Illinois Bar #6306024)
77 West Wacker Drive, Suite 3100
Chicago, IL 60601
Telephone: (312) 456-8400
Fax: (312) 456-8435
finnh@gtlaw.com
girouxj@gtlaw.com

Melissa R. Smith
State Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
melissa@gillamsmithlaw.com

*Counsel for Defendants LG Electronics, Inc., LG
Electronics USA, Inc., and LG Electronics
Mobileomm USA, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF INSTITUTION OF RELATED INTER PARTES REVIEW PROCEEDINGS to be served on all counsel of record via electronic mail in accordance with the Federal Rules of Civil Procedure and Local Rules of this Court.

February 13, 2016

/s/ Melissa R. Smith